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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/909,784	07/23/2001	Dale L. Bartholomew	50107-485	4891

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EXAMINER

DUONG, DUC T

ART UNIT PAPER NUMBER

2616

DATE MAILED: 12/15/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/909,784	Applicant(s) BARTHOLOMEW ET AL.	
	Examiner Duc T. Duong	Art Unit 2616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 September 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 20-26,28-30,33-35 and 37-41 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 41 and 3039 is/are allowed.
- 6) ☒ Claim(s) 20-23,25,26,28,29,33,34,37 and 38 is/are rejected.
- 7) ☒ Claim(s) 24,35 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. The indicated allowability of claims 20-26, 28, 29, 33-35, 37, and 38 are withdrawn in view of the newly discovered reference(s) to Coffman et al (US Patent 6,385,191 B1). Rejections based on the newly cited reference(s) follow.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. Claims 20, 23, and 29 are rejected under 35 U.S.C. 102(e) as being anticipated Coffman et al (US Patent 6,385,191 B1).

Regarding to claims 26 and 29, Coffman discloses a telecommunications system (fig. 1) having a plurality of diverse paths available for transporting a voice call, one of said paths traversing at least a public switched telephone network (PSTN) 105 having a

Art Unit: 2616

local line to a subscriber 106 receiving the voice call and a packet-switched data communication network 102, the system being connectable between the packet-switched data communication network and the PSTN, comprising a data network server 103 connectable to the packet-switched data communication network 102, for receiving through the packet-switched data communication network a request from a calling party 100 to set up a voice call through the PSTN to the local line to the subscriber (fig. 1 col. 3 lines 31-50), and for receiving identification information associated with the calling party through the packet-switched data communication network (fig. 1 col. 3 lines 50-54) and a telephony platform 104 having a call connection to the PSTN for initiating the voice call through the PSTN to the local line to the subscriber in response to the request from the calling party (fig. 1 col. 3 lines 54-65) and having a signaling link for providing call-related signaling information to the PSTN including the identification information associated with the calling party, to enable transport of the calling party identification information through the PSTN to the local line to the subscriber (fig. 1 col. 4 lines 18-30).

Regarding to claim 23, Coffman discloses the call connection and the signaling link comprise the channels of an ISDN link between the telephone platform and the PSTN (col. 4 lines 24-28).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

Art Unit: 2616

invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 21, 22, 26, and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Coffman.

Regarding to claims 21, 22, 26, and 28, Coffman discloses a telecommunications system 10 (fig. 1) having a plurality of diverse paths 30-44 available for transporting a voice call, one of said paths 38 traversing at least a public switched telephone network 14 having a local line 34 to a subscriber 28 receiving the voice call and a packet-switched data communication network 12 (col. 3 lines 57-67), said apparatus comprising a server 50 comprising an interface (implicitly shown) for connection to the packet-switched data communication network 12, an interface for voice-call connection (virtual circuit) with the PSTN 14 (col. 4 lines 58-67), and means for providing calling party identification information ANI for a calling party 28 to the PSTN 14 based on calling party identification information ANI received via the packet-switched data communication network 12 (col. 4 lines 44-57), wherein the calling party identification information (ANI) is received by the server 50 via a path 40 through the packet-switched data communication network 12 and is conveyed by the server 50 to the called subscriber line 36 by the PSTN 14 upon routing of the voice call (col. 5 lines 7-27).

Coffman fails to teach for a router adapted to connect to the Internet

However, it would have been obvious to a person of ordinary skill in the art at the time of the invention to employ a router into Coffman's system for connecting to the Internet since router are well known link layer device implement in the Internet for routing data between source and destination.

6. Claims 25, 33, and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Coffman in view of McMullin (US Patent 5,809,128).

Regarding to claims 25 and 33, Coffman discloses a method (fig. 2) for providing caller identification information for a voice call, originating from a remote calling subscriber device 100, to a called telephone subscriber line 106 comprising the steps of receiving a voice call intended for the called telephone subscriber line, originated by a calling party at the remote calling subscriber device through a packet switched data network 102, handed-off from a gateway 104 that interfaces between the packet switched data network and a public switched telephone network PSTN 105 (fig. 2 col. 3 lines 61-65); initiating routing of a telephone call through the PSTN to the called telephone subscriber line for use in completing the voice call to the called telephone subscriber line (fig. 2 col. 4 lines 37-42); receiving a signaling message containing originating caller identification information from the gateway over (fig. 2 col. 4 lines 18-31); and transporting the originating caller identification information through the PSTN to the called telephone subscriber line while routing the telephone call through the PSTN (fig. 2 col. 4 lines 32-26).

Coffman fails to teach the signaling message is transmit via a Simplified Message Desk Interface.

However, McMullin discloses for a POTS telephone, a called number information could be provided using a Simplified Message Desk Interface SMDI (col. 5 lines 27-31).

Art Unit: 2616

Thus, it would have been obvious to a person of ordinary skill in the art to employ the SMDI interface as taught by McMullin into Coffman's system since such interface are well known in the art to used to obtain delivery of the called number.

Regarding to claim 34, Coffman discloses receiving the originating caller identification information over an ISDN channel from the gateway (col. 4 lines 24-31).

7. Claims 37 and 38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Coffman.

Regarding to claims 37 and 38, Coffman discloses all the limitations with respect to claims 33, except for the signaling message is transmit via Signaling System 7 (SS7) Protocol. However, it would have been obvious to a person of ordinary skill in the art to employ the SS7 Protocol into Coffman's system for transmitting signaling message since such protocol are standardized protocol used in PSTN network.

Allowable Subject Matter

8. Claims 24 and 35 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

9. Claims 30 and 39-41 are allowed.

Conclusion


10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Duc T. Duong whose telephone number is 571-272-3122. The examiner can normally be reached on M-F (9:00 AM-6:00 PM).

Art Unit: 2616

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Huy D. Vu can be reached on 571-272-3155. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

DD
DD

A handwritten signature in black ink, appearing to read 'Huy D. Vu', with a long horizontal line extending to the right.

HUY D. VU
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600